



IN THE JUDICATURE OF M.P. HIGH COURT AT JABALPUR.

Case No. W.P. 3727 / 2000.

PETITIONER.

Union of India
Through the Divisional
Railway Manager, S.E.RLY,
Bilaspur.

Versus.

RESPONDENT.

Sri B. C. Das
S/o Late Sri K. C. Das,
Retired Station Superintendent,
(Cazetted), S.E.RLY,
Resident of 139, Sundernagar,
Mahadeoghat Road, Raipur. (MP).

WRIT PETITION UNDER ARTICLE 226/227 OF
CONSTITUTION OF INDIA.



26/3

19-6-2000

M. Baranjan
Advocate

26/6

19-6-2000

आदेश पत्रक

मामला क्रमांक W.P. 3727 सन् 2000

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<u>26.6.2003:</u> Shri Vinay Harit learned Standing Counsel appears for the petitioner. We have perused the impugned order of the Central Administrative Tribunal, Bench at Jabalpur. The time was sought for by the petitioner for removing the defects but the defects have not been removed. Perusal of the impugned order dated 10.12.99 reveals that the respondent retired from service on 29.2.92 and he was permitted to occupy the quarter till 31.10.92. The respondent vacated the quarter with the delay of three days and on that account the petitioner herein had not released the amount due to the respondent. In the circumstances, the Tribunal allowed the O.A. No. 850/96 and directed the petitioner to pay the amount as due to the respondent after adjusting normal rent and usual charges as per rules, if any, within five weeks from that date. Tribunal also directed the petitioner herein to pay interest at the rate of 12 per cent p.a. on the balance amount, which they have charged from the respondent herein from the date of recovery till the date of payment. So far as the interest part of the impugned order is concerned, the tribunal has not awarded the same on the higher side.	

आदेश पत्रक

मामला क्रमांक W.P. 3727 सन् 2000

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
०२	The respondent had claimed the interest at the rate of 18 per cent p.a. but the Tribunal looking to the facts and circumstances of the case has granted the interest at the rate of 12 per cent p.a. In the circumstances we do not find any illegality or irregularity in the impugned order and therefore, we are of the opinion that there is no force in the petition and the same is liable to be dismissed. Thus the petition fails and the same is accordingly dismissed.	
	Sd/- Chief Justice	Sd/- L.C. Bhadoo Judge

[पीछे देखिये]